

**OFFICE OF ATTORNEY GENERAL****INSURANCE FRAUD SECTION****TOM CORBETT • ATTORNEY GENERAL****NEWSLETTER**

CHIROPRACTOR ACCUSED OF INSURANCE FRAUD



Eileen Means, owner and principal of Frankford Therapy, was arrested on August 22, 2008, in Philadelphia County and charged with fifteen counts of Insurance Fraud (F3), five counts of Criminal Attempt/Theft by Deception (F3), five counts of Theft by Deception (F3) and one count of Corrupt Organization (F1).

An extensive investigation revealed that two minor bus accidents occurring in August of 2003 and April of 2004 were staged as part of a scheme to defraud multiple insurance companies. A total of 43 claims were submitted to the Lancer Insurance Company and the Rutgers Insurance Company for soft tissue injuries allegedly suffered in the accidents. According to the Criminal Complaint, Means submitted claims to Lancer and Rutgers on behalf of five patients for 53 to 60 days worth of treatments. Our investigation revealed that these patients went to Dr. Means at Frankford Therapy for no more than 20 visits each and one of the patients had allegedly informed Dr. Means that she was not injured as a result of the bus collision. As part of the Commonwealth's investigation, an expert in the identification of fraud in the practice of chiropractics reviewed all of the Frankford Therapy bills and supporting documents that Dr. Means submitted to the insurers in connection with these five patients. The expert concluded that the course of treatment identified in the bills, even if it had been performed, would have served no therapeutic purpose and would have had the sole purpose of fraudulently running up the bills. Dr. Means received \$13,453.49 from the Lancer Insurance Company and \$6,909.99 from the Rutgers Insurance Company for a total of \$20,363.48.

DELAWARE COUNTY BUSINESS MAN RECEIVES JAIL SENTENCE

On August 6, 2008, Everett Frank was sentenced in Delaware County to serve 12 to 46 months incarceration, 8 years consecutive probation and ordered to pay restitution of \$57,340 and all court costs after pleading guilty to two counts of Insurance Fraud (F3) and two counts of Theft by Deception (F3).

Frank submitted two claims to the Ohio Casualty Insurance Company for water damages to his business, Dents and Details. In support of the claims, Frank created and submitted numerous fraudulent receipts. Some of the receipts were from fictitious businesses that Frank made up and other receipts were from actual businesses, but were altered by Frank.





- On August 28, 2008, William Huber was arrested in Fulton County. According to the Criminal Complaint, Huber reported to the Progressive Insurance Company that he had been involved in an automobile accident on March 5, 2008. Our investigation revealed that the accident occurred on February 29, 2008. It is alleged that Huber misrepresented the date of the accident so that it did not occur during a time that Huber's insurance policy had lapsed. William Huber has been charged with one count of Insurance Fraud (F3) and one count of Criminal Attempt/Theft by Deception (F3).

- Taryn Yunginger was arrested in Lancaster County on August 20, 2008. According to the Criminal Complaint, Yunginger cancelled her insurance policy with the Progressive Insurance Company on July 23, 2007, and then reinstated it on September 7, 2007, at 10:45 p.m. Approximately a week later, Yunginger reported to Progressive that her vehicle had been in an accident on September 7, 2007, between 11:00 and 11:30 p.m. Our investigation revealed that the accident occurred around 8:50 p.m., prior to the reinstatement of the policy. Yunginger allegedly misrepresented the time of the accident to obtain coverage for the damages to her vehicle. Taryn Yunginger has been charged with one count of Insurance Fraud (F3), one count of Theft by Deception (F3) and two counts of Forgery (F3 & M1).



- On August 27, 2008, Anna Deaver was arrested in Westmoreland County. According to the Criminal Complaint, Deaver passed in excess of 45 prescriptions for non-controlled substances at a CVS Pharmacy between January 2007 and June 2008. The prescriptions were purportedly issued by a



doctor and/or physician's assistant. Deaver used her Caremark Insurance card to obtain the drugs. It is alleged that Deaver forged the signatures on the prescriptions. Caremark paid in excess of \$3,700 for the medications. Anna Deaver has been charged with one count of Insurance Fraud (F3), one count of Theft by Deception (F3) and one count of Forgery (M1).

- Samantha Duncan was arrested in Huntingdon County on August 27, 2008. According to the Criminal Complaint, Duncan filed a workers' compensation claim with the Rockwood Casualty Insurance Company for injuries she received following a slip and fall at work on July 31, 2007. Duncan submitted forms indicating she was not working or self-employed while collecting benefits. Our investigation revealed that Duncan was allegedly working at a diner between September 2007 and June 2008, while receiving workers' compensation benefits. Samantha Duncan has been charged with two counts of Workers' Compensation Insurance Fraud (F3) and one count of Theft by Deception (F3).

- On August 28, 2008, James Picciano and Louis Ralph Pizzani were arrested in Chester County. According to the Criminal Complaint, on November 19, 2007 at 11:39 p.m., Picciano obtained an automobile insurance policy from the Progressive Insurance Company. On December 28, 2007, Picciano informed Progressive that his vehicle was involved in an accident on November 20, 2007. Pizzani, a passenger in Picciano's vehicle at the time of the accident and a friend of Picciano, reiterated Picciano's claim. Our investigation revealed that the accident actually occurred at 5:59 p.m., prior to Picciano purchasing the policy. It is alleged that Picciano and Pizzani misrepresented the time of the accident in order to obtain coverage under the policy. James Picciano



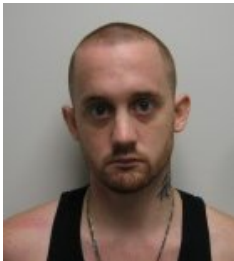
and Ralph Pizzani have been charged with two counts of Insurance Fraud (F3) and one count of Criminal Attempt/Theft by Deception (F3).

- Nichole Love was arrested in Chester County on August 29, 2008. According to the Criminal Complaint, Love submitted a claim to the Allstate Insurance Company for property damage that occurred when her basement flooded. It is alleged that Love had filed two prior claims for the same or similar



damage over the previous two years and that the initial damage had never been repaired. Nichole Love has been charged with one count of Insurance Fraud (F3) and one count of Criminal Attempt/Theft by Deception (M1).

- On August 28, 2008, Christopher Sautter was arrested in Montgomery County. According to the Criminal Complaint, Sautter owned and insured a 2002 Toyota with the SafeAuto Insurance Company. In June of 2006, Sautter's mother applied for coverage with the Progressive Insurance Company, advising Progressive that she took over the payments and would be the sole driver of the vehicle. Our investigation revealed that Sautter allegedly continued to drive the vehicle and had allegedly filed fraudulent MV-140 documents with



PennDot stating he had insurance. Christopher Sautter has been charged with four counts of Insurance Fraud (F3 & M1) and two counts of Unsworn Falsification (M3).

- Luis Cruz-Cruz was arrested in Lancaster County on August 29, 2008. According to the Criminal Complaint, Cruz-Cruz's van was rear-ended by a vehicle insured by the Westfield Insurance Company on July 17, 2007. Cruz-Cruz received payment for the damages to his vehicle's bumper and exhaust pipe. In August of 2007, Cruz-Cruz increased

his policy coverage to include comprehensive, collision and rental insurance damage. Roughly a week later, Cruz-Cruz filed a claim with the Progressive Insurance Company for damages to his rear bumper sustained when he allegedly backed into a large rock. Cruz-Cruz advised Progressive that the prior damages had been repaired. It is alleged that Cruz-Cruz never had the prior damages repaired. Luis Cruz-Cruz has been charged with one count of Insurance Fraud (F3) and one count of Criminal Attempt/Theft by Deception (M1).

- On August 29, 2008, Barbara Datsko was arrested in Fayette County. According to the Criminal Complaint, Datsko collected workers' compensation benefits from the Zurich North



American Insurance Company for a work related injury and submitted documents verifying she was not employed or self-employed. Our investigation revealed that Datsko worked as an in-home caregiver while collecting workers' compensation benefits. It is alleged that Datsko concealed her employment and income from Zurich by submitting fraudulent documents, resulting in an overpayment of benefits. Barbara Datsko has been charged with two counts of Workers' Compensation Insurance Fraud (F3) and one count of Theft by Deception (M2).

- Kelly Crockett-Manzella was arrested in Allegheny County on August 25, 2008. According to the Criminal Complaint, Crockett-Manzella worked in Dr. Ostrowski's office and used the office computer to print out allegedly unauthorized prescriptions for Vicodin on various dates between December 2006 and September 2007. Our investigation revealed that Crockett-Manzella allegedly endorsed the prescriptions by using the doctor's signature stamp. Crockett-Manzella used her Highmark Insurance to obtain the drugs at various pharmacies. Kelly Crockett-Manzella has



been charged with one count of Insurance Fraud (F3), one count of Act 64 Drug Violations (F) and one count of Forgery (M1).

- On August 29, 2008, Chad Weber was arrested in Northampton County. According to the Criminal Complaint, Weber's automobile insurance policy with the Progressive Insurance Company had been cancelled for failure to pay his insurance premiums. On December 17, 2007 at 6:04 p.m. Weber re-instated his policy with Progressive, stating that the vehicle had not been in any accidents during the cancellation period. On December 18, 2007, Weber submitted a claim to Progressive for an accident allegedly occurring after the reinstatement of his policy. Our investigation revealed that the accident occurred when he slid into a parked car between 5:30 and 5:45 p.m. on December 17, 2007, prior to the reinstatement of his policy. Chad Weber has been charged with one count of Insurance Fraud (F3) and one count of Criminal Attempt/Theft by Deception (M1).



Trial Results in Guilty Verdict

- Sheila Kendall was found guilty of one count of Insurance Fraud (F3) and one count of Criminal Attempt/Theft by Deception (F3) following a trial in Delaware County. Kendall submitted a claim to the State Farm Insurance Company stating that she was struck by a vehicle while walking in a parking lot and sustained serious injuries. Our investigation revealed that Kendall was never struck by the vehicle. On August 25, 2008, Kendall was sentenced to serve 9 months intermediate punishment and 3 years consecutive probation, ordered to attend a psychiatric evaluation and pay all court costs.



Additional Conviction

- Coran Freeland entered a guilty plea to one count of Insurance Fraud (F3) and one count of Criminal Attempt/Theft by Deception (M1) in Chester County. Freeland submitted a claim to the Allstate Insurance Company under a Renters Insurance Policy for numerous items that were taken in a burglary at her apartment. Our investigation revealed that Freeland submitted a fraudulent receipt totaling \$1,070 for a motorcycle helmet she purportedly purchased from an individual. On August 29, 2008, Freeland was sentenced to serve 2 years probation and ordered to perform 50 hours of community service, pay a fine of \$1,000 and all court costs.



(ARD) DISPOSITIONS

During the month of August, six additional defendants received Accelerated Rehabilitative Disposition (ARD). Defendants who receive ARD are typically sentenced to serve 2 years probation and ordered to perform 50 hours of community service. In addition, they are ordered to pay full restitution, all ARD costs and all court costs.

TRAINING

The Office of Attorney General's Insurance Fraud Section would be happy to provide any insurance company with information and/or training in the fraud referral process. Our personnel will gladly provide your company with insight into our referral evaluation process, including the type of evidence we look for, how we determine which referrals warrant further investigation, etc.

If you would like more information on how we can help you in the fight against fraud, please contact Eileen K. Gearhart at egearhart@attorneygeneral.gov. Please be sure to include your full name, company and contact information.